

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MINERVA INDUSTRIES, INC.

Plaintiff,

v.

Civil Action No.: 2:07-cv-00229 - TJW

- 1. MOTOROLA, INC.;**
- 2. NOKIA, INC.;**
- 3. NOKIA MOBILE PHONES, INC.;**
- 4. ALLTEL CORPORATION;**
- 5. ALLTEL COMMUNICATIONS
WIRELESS, INC.;**
- 6. ALLTEL COMMUNICATIONS,
INC.;**
- 7. ALLTEL COMMUNICATIONS OF
TEXARKANA, INC.;**
- 8. ALLTEL WIRELESS OF
TEXARKANA, LLC.;**
- 9. AT&T MOBILITY, LLC;**
- 10. BOOST MOBILE;**
- 11. DOBSON CELLULAR SYSTEMS
D/B/A/ CELLULAR ONE;**
- 12. HELIO, INC.;**
- 13. HELIO, LLC;**
- 14. HEWLETT-PACKARD COMPANY.;**
- 15. METROPCS, INC.;**
- 16. METROPCS TEXAS, LLC;**
- 17. METROPCS WIRELESS, INC.;**
- 18. QWEST WIRELESS, LLC;**
- 19. SOUTHERNLINC WIRELESS;**
- 20. SPRINT NEXTEL
CORPORATION;**
- 21. SPRINT WIRELESS BROADBAND
COMPANY, LLC;**
- 22. SUNCOM WIRELESS
OPERATING COMPANY, LLC;**
- 23. T-MOBILE USA;**
- 24. TRACFONE WIRELESS, INC.;**
- 25. U.S. CELLULAR WIRELESS;**
- 26. VERIZON COMMUNICATIONS**

INC.;	:
27. VERIZON WIRELESS	:
SERVICES, LLC;	:
28. VIRGIN MOBIL USA, LLC;	:
29. HTC CORPORATION;	:
30. HTC AMERICA, INC.;	:
31. KYOCERA WIRELESS	:
CORPORATION;	:
32. KYOCERA AMERICA, INC.;	:
33. LG ELECTRONICS U.S.A., INC.;	:
34. LG ELECTRONICS	:
MOBILECOMM U.S.A., INC.;	:
35. PALM, INC.	:
36. PANTECH WIRELESS, INC.	:
37. SANYO NORTH AMERICA	:
CORPORATION; AND	:
38. UTSTARCOM, INC.;	:
39. SONY ERICSSON	:
COMMUNICATIONS (USA), INC.;	:
40. SAMSUNG AMERICA, INC.;	:
41. SAMSUNG ELECTRONICS	:
AMERICA, INC.;	:
42. SAMSUNG	:
TELECOMMUNICATIONS	:
AMERICA, LLC; and	:
43. SAMSUNG	:
TELECOMMUNICATIONS	:
AMERICA, INC.;	:
	:
Defendants.	:

**DEFENDANT SUNCOM WIRELESS OPERATING COMPANY, LLC'S
UNOPPOSED MOTION TO EXTEND
TIME TO ANSWER OR OTHERWISE RESPOND**

Defendant SunCom Wireless Operating Company, LLC ("Defendant"), without waiving any defenses described or referred to in Rule 12 of the Federal Rules of Civil Procedure, hereby moves this Court to extend the time within which Defendant must answer or otherwise respond to Plaintiff's Complaint up to and including January 7, 2008. As reflected in the Certificate of Conference below, this motion to extend the time to answer or otherwise respond is unopposed.

Respectfully submitted,

/s/

Melissa R. Smith

Texas Bar No. 24001351

melissa@gillamsmithlaw.com

GILLAM SMITH LLP

303 S. Washington Ave.

Marshall, Texas 75670

Telephone: (903) 934-8450

Facsimile: (903) 934-9257

ATTORNEY FOR DEFENDANT
SUNCOM WIRELESS
OPERATING COMPANY, LLC

CERTIFICATE OF CONFERENCE

I certify that I communicated with opposing counsel concerning this motion on October 11, 2007, and opposing counsel agreed to the extension. This motion is unopposed.

/s/

Melissa R. Smith

CERTIFICATE OF SERVICE

I certify that on the 12th day of October, 2007, all counsel who are deemed to have consented to electronic service are being served with a copy of this document by the Court's Electronic Filing System, pursuant to Local Rule CV-5(a)(3)(A).

/s/

Melissa R. Smith